

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE PG&E CORPORATION  
SECURITIES LITIGATION

Case No. [5:18-cv-03509-EJD](#)

**ORDER DENYING MOTION TO  
INTERVENE WITHOUT PREJUDICE**

Re: ECF No. 229

Before the Court is a motion to intervene by approximately 700 putative class members (“Intervenors”). Mot. to Intervene, ECF No. 229. They seek to intervene in order to oppose any efforts by the parties to dissolve the stay that the Court entered on September 30, 2022 (ECF No. 217) and/or any forthcoming motion for preliminary approval of settlement. Mot. to Intervene 1.

The Court holds that it is without jurisdiction to consider Intervenors’ motion. “An appeal, including an interlocutory appeal, ‘divests the district court of its control over those aspects of the case involved in the appeal.’” *Coinbase, Inc. v. Bielski*, 143 S. Ct. 1915, 1919 (2023) (quoting *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982)). And on October 31, 2022, named plaintiffs in this action appealed the Court’s stay order. Notice of Appeal, ECF No. 218. Because the stay is “involved in the appeal,” the Court is without power to address the motion to intervene to preserve the stay.

Accordingly, the Court DENIES Intervenors’ motion to intervene without prejudice to refiling of the motion upon resolution of the pending appeal.

**IT IS SO ORDERED.**

Dated: July 31, 2023



EDWARD J. DAVILA  
United States District Judge

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